

## **REMARKS**

Pursuant to 37 C.F.R. §1.111, reconsideration of the instant application, as amended herewith, is respectfully requested. Entry of the amendment is requested.

Claims 1-17 are presently pending before the Office. No claims have been canceled. Applicant has amended the specification, the claims and the drawings. No new matter has been added. Support for the amendments can be found throughout the specification as originally filed. Applicant is not intending in any manner to narrow the scope of the originally filed claims.

The Examiner's Action mailed November 3, 2005 and the references cited therein have been carefully studied by Applicant and the undersigned counsel. The amendments appearing herein and these explanatory remarks are believed to be fully responsive to the Action. Accordingly, this important patent application is believed to be in condition for allowance.

Relying on 35 U.S.C. §102(b), the Examiner has rejected the subject matter of claims 1-17 as being anticipated by Sugawara et al. Applicant respectfully traverses the rejection and requests reconsideration.

Applicant respectfully submits that it is important to note that, historically, the Office and the Federal Circuit has required that for a §102 anticipation, a single reference must teach (i.e., identically describe) each and every element of the rejected claim. The Office has steadfastly and properly maintained that view.

The Sugawara patent fails this test. The Sugawara disclosure states that the invention can be used in the electronic industry on page 11, without any further elaboration. It would therefore

appear that the Examiner has found a reference that is limited to electronic terminals. The Examiner merely states that the disclosure describes “coatings” that can include Cu-Sn-O alloys with no specific composition ratio mentioned. In light of the disclosure, the claims of the Sugawara reference should be read to be limited to electronic terminals.

Sugawara starts with a Cu or Cu alloy substrates, then creates a coating by adding a Sn plating and then creates an oxide through a heat treatment process. The effective resultant coating takes elements from the substrate, intermediate layer and oxidation process (heat treatment) to create the coating.

Applicant’s invention claims a “plating” on a substrate made from a variety of materials and the plating itself has the Cu-Sn-O components. As alluded to above, the present invention, which requires a single step to complete the plating, is different from Sugawara which requires 2 to 3 steps including a step of coating a Cu substrate with the tin plating and a step of thermally treating the plating (for the purposes of dispersing the tin and oxidizing the coating surface) to form the coating layer of Cu-Sn-O(-X).

In the reference, tin plating is applied on a Cu or Cu alloy substrate and the tin plating is thermally treated (for the purpose of thermal dispersion of metal and oxidation of the coating surface) to thereby form the coating comprising Cu-Sn-(-X) and Cu-Sn-O (-X). Thus, the reference essentially comprises a two-layer structure. On the other hand, the present invention which does not include any particular limitation on the substrate, a Cu-Sn-O layer can be formed on a substrate without thermal treatment. Therefore, separately forming a Cu-Sn layer as essentially required in the reference is not essential in the present invention and the plating formed by the present invention consists of a single layer of Cu-Sn-O.

Further, the surface of the Cu-Sn-O (-X) layer in Sugawara is enriched in oxygen and the deeper vertically from the surface, the smaller the concentration of oxygen. At the interface between the Cu-Sn(-X) and the Cu-Sn-O(-X), the oxygen concentration is zero. Therefore, properties of the plating of the reference greatly varies along the vertical direction in the plating. These facts can be easily understood by the reference. On the other hand, the Cu-Sn-O layer of the present invention contains oxygen at any depth vertically from the surface within a range specified in the specification and therefore, the plating layer at any depth vertically from the surface satisfies the properties described in the specification.

If, as in the Sugawara reference, the compositional range of the plating changes in the vertical direction from the surface, for example, the color of the plating surface changes as the surface is worn away. Therefore, such a plating is not suitably used for an ornamental product.

Accordingly, each and every element of Applicant's claims have not been taught in that single reference. In other words, the rejected claims do not read literally on any single item of prior art because Sugawara does not teach, disclose or suggest the present invention as claimed. Accordingly, Applicant respectfully submits that claims 1-17 have not been anticipated by the patent under 35 U.S.C. §102(b), and respectfully requests that such rejection be withdrawn.

### CONCLUSION

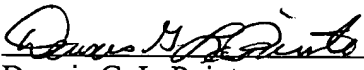
Even though the initial claims in this important patent application were drawn to a new, useful and nonobvious invention, they have now been amended to increase their specificity of language. Applicant respectfully submits that claims 1-17 are patentable over the art of record.

A Notice of Allowance is earnestly solicited.

If the Office is not fully persuaded as to the merits of Applicant's position, or if an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 943-9300 would be appreciated.

Very respectfully,

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